



**No. 3 of 2004**

**I assent,**

**(SIR COLVILLE N. YOUNG)**

*Governor-General*

29th January, 2004

**AN ACT to amend the Income and Business Tax Act, Chapter 55 of the Laws of Belize, Revised Edition 2000, to provide for a more equitable application of business tax; to strengthen the enforcement framework for the collection of tax; and to provide for matters connected therewith or incidental thereto.**

*(Gazetted 29th January, 2004.)*

***BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows:***

1. This Act may be cited as the

**Short title.**

**INCOME AND BUSINESS TAX (AMENDMENT)**  
**ACT, 2004,**

CAP. 55  
Act 3/01

and shall be read and construed as one with the Income and Business Tax Act which, as amended, is hereinafter referred to as the principal Act.

Amendment  
of Section  
105.

2. Section 105 of the principal Act is hereby amended in subsection **(I)** in the definition of the word “**receipts**”, by amending paragraph **(d)** thereof to read as follows:

“(d) winnings from lotteries, slot machines and table games;”.

Amendment  
of Section  
108.

3. Section 108 of the principal Act is hereby amended in subsection (1) thereof as follows:

**(i)** by amending paragraph **(a)** to read as follows:-

“**(a)** receipts from trade or business of less than \$54,000.00 per annum, where such receipts are the only means of livelihood of the taxpayer;”

**(ii)** by adding the following as new paragraph **(b)** immediately after paragraph **(a)**, and by renumbering the existing paragraphs **(b)** to **(j)** as paragraphs **(c)** to **(k)**, respectively:-

“**(b)** receipts from profession or vocation of less than \$20,000.00 per annum, where such receipts are the only source of livelihood of the taxpayer;”

**(iii)** by amending the renumbered paragraph **(c)** to read as follows:

“**(c)** rental receipts of less than eight hundred dollars per month where rents form the only ‘source of livelihood of the taxpayer;”

(iv) by amending the renumbered paragraph (e) to read as follows:-

“(e) winnings from any lottery of less than one thousand five hundred dollars, or winnings from slot machines and table games of less than one thousand dollars.”

4. The principal Act is hereby amended by adding the following new section immediately after section 110: -

Addition of  
section 110A.

“110A (1) Without prejudice to section 109 above, every person who deals in real estate business shall, in addition to the return required under that section, submit to the Commissioner a statement in respect of each transaction conducted by him, containing full details of such transaction, including the location and value of the property involved, by the 15<sup>th</sup> day of the month following the month in which the transaction was conducted.

Real Estate  
Agents.

(2) Every person who contravenes the provisions of subsection (1) above commits an offence and shall be liable on summary conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment.

(3) For the purpose of this section, “transaction” includes every transaction involving the purchase or sale of real estate, the lease or rental of such property, real estate management or protection, and any other business customarily appurtenant to the business of a real estate agent.”

5. Section 112 of the principal Act is hereby amended by repealing subsection (5) thereof and replacing it by the following:-

Amendment  
of section 112.

“(5) Every person who makes or is liable to make any gross contract payment to any person, professional or entity, shall deduct therefrom the amount specified under subsection (1) of this section and shall, within fifteen days following the end of every month, render an account and remit the amount so deducted to the Commissioner, and in the event of failure to deduct the amount or to render an account as aforesaid, every such amount shall be deemed to be a debt owing from such person to the Government and shall be recoverable as such, together with a penalty of \$100.00 or 10% of the tax due and payable, whichever is greater.”

Amendment  
of the Ninth  
Schedule.

6. The Ninth Schedule to the principal Act is hereby amended as follows:

- (i) in item (e) [*Rents, royalties, premiums or any other receipts from real property*], by substituting the figure “3%” for the figure “1.5%” occurring therein;
- (ii) in item (h), [*Commissions, royalties, discounts, dividends, etc.*], by adding the words “**slot machines and table games**” immediately after the word “**lotteries**” occurring therein.